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17-MAR-2004 13:53

LEE AND LI

886 22 27138497 P.02

Attorney's Docket No.:

DECLARATION AND POWER OF ATTORNEY

## REGULAR OR DESIGN APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Metal Hydride Storage Canister Design and Its Manufacture

the specification of which:

(check one)

☒ is attached hereto☐ was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_, and was amended on \_\_\_\_\_.☐ was described and claimed in PCT International Application No. \_\_\_\_\_, Filed on \_\_\_\_\_ and as amended under PCT Article 19 on \_\_\_\_\_, if any.

## ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations §1.56.

No. 8

(1154)

17-MAR-2004 13:54

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**PRIORITY CLAIM**

I hereby claim foreign priority benefits under Title 35, United States Code, §119 (a) - (d) or §365(b) of any foreign application for patent or inventor's certificate, or §365(a) of any PCT application which designates at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

**PRIORITY CLAIMED**

<u>90118041</u>	<u>Taiwan, R.O.C.</u>	<u>24/07/2001</u>
(Number)	(Country)	(Day/Month/Year Filed)
<u>          </u>	<u>          </u>	<u>          </u>
(Number)	(Country)	(Day/Month/Year Filed)
<u>          </u>	<u>          </u>	<u>          </u>
(Number)	(Country)	(Day/Month/Year Filed)

**PRIORITY NOT CLAIMED**

ANY FOREIGN APPLICATION(S), ON THE SAME SUBJECT MATTER WHICH HAS A FILING DATE EARLIER THAN THE EARLIEST APPLICATION FROM WHICH PRIORITY IS CLAIMED

<u>          </u>	<u>          </u>	<u>          </u>
(Number)	(Country)	(Day/Month/Year Filed)

**CLAIM FOR BENEFIT OF PROVISIONAL APPLICATION(S)**

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

<u>          </u>	<u>          </u>
(Application Number)	(Filing Date)
<u>          </u>	<u>          </u>
(Application Number)	(Filing Date)

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## CLAIM FOR BENEFIT OF EARLIER U.S. APPLICATION(S) UNDER 35 U.S.C. 120

(complete this part only if this is a divisional,  
continuation or CIP application)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s), or §365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

(Serial No.) (Filing Date)

(Status: patented, pending, abandoned)

(Serial No.) (Filing Date)

(Status: patented, pending, abandoned)

## POWER OF ATTORNEY

I hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Irving Powers (15,700), Donald G. Leavitt (17,626), John K. Roedel, Jr. (25,914), Michael E. Godar (28,416), Edward J. Hejlek (31,525), William E. Lahey (28,757), Richard G. Heywood (18,226), Frank R. Agovino (27,416), Kurt F. James (33,716), G. Harley Blosser (33,650), Paul I. J. Fleischut (38,513), Vincent M. Keil (36,828), Robert M. Evans, Jr. (36,794), Robert M. Bain (36,736), Joseph A. Schaper (30,493), Kathleen M. Petrillo (35,076), Rudolph A. Telscher, Jr. (36,032), Paul A. Stone (38,528), David S. Crawford, Jr. (38,116), Paul A. Maddock (37,877), Charles E. Cohen (34,563), Scott A. Williams (39,876), Richard L. Bridge (40,529), David M. Gryte (P-41,809), and Christopher M. Goff (P-41,785).

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886 02 27186497 P.23

No. 2246 P. 12

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Customer Number: 000321 Kurt P. James  
(314) 231-3400

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor Jefferson XS Yang

Inventor's signature [Signature] Date 27 September 2001

Residence 7217 Maple Circle, Orange, CA 92669 U.S.A. Citizenship U.S.A.

Post Office address Same as above

Full name of second joint inventor \_\_\_\_\_

Second inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence \_\_\_\_\_ Citizenship \_\_\_\_\_

Post Office address \_\_\_\_\_

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LEE AND LI

866 02 2738497 P.06

03/18/04 P.1

5/5

Send Correspondence: Direct Telephone Calls To:

Customer Number: Kurt P. James  
(314) 331-5400

I hereby declare all statements made herein of my own knowledge are true and that statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful statements and the like so made are punishable by fine or imprisonment both, under Section 1001 of Title 18 of the United States Code and such willful false statements may jeopardize the validity of the patent or any patent issued thereon.

Full name of a first inventor Mike Rao

Inventor's signature [Signature] Date 8/17/01

Residence 3813 Palma Ave., Anaheim, CA 92807, U.S.A. Citizenship U.S.A.

Post Office address Same as above

Full name of a joint inventor

Second inventor's signature \_\_\_\_\_ Date \_\_\_\_\_

Residence \_\_\_\_\_ Citizenship \_\_\_\_\_

Post Office address \_\_\_\_\_

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Jefferson YS Yang :  
Serial No : 09/971,898 : Art Unit : 3712  
Filed : 10/05/2001 : Examiner : Jacob K. Ackun Jr.  
Title: : Metal Hydride Storage Canister Design :  
and Its Manufacture

REVOCATION OF POWER OF ATTORNEY AND  
APPOINTMENT OF POWER OF ATTORNEY

The owner of the above-identified U.S. Patent Application, hereby revokes all Powers of Attorney previously given and hereby appoints the following Attorneys to transact all business in the U.S. Patent and Trademark Office connected therewith:

Morton J. Rosenberg, Esq., Reg.#26,049  
David I. Klein, Esq., Reg.#33,253  
Jun Y. Lee, Esq., Reg.#40,262  
Rosenberg, Klein & Lee  
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Ellicott City, Maryland 21043

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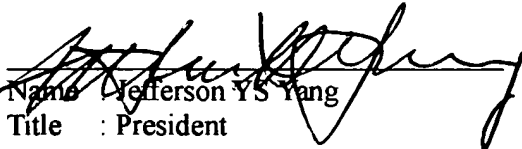
Rosenberg, Klein & Lee  
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(410) 465-6678

Respectfully submitted,  
FOR: Asia Pacific Fuel Cell Technologies, Ltd.

Date: JAN 5, 2004

  
Name : Jefferson YS Yang  
Title : President

Assignment made on Reel 012242 /Frame 0834

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**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Jefferson YS Yang

Application No./Patent No.: 09/971,898 Filed/Issue Date: Oct. 05, 2001

Entitled: Metal Hydride Storage Canister Design and Its Manufacture

Asia Pacific Fuel Cell Technologies, Ltd. a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title, and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 012242 Frame 0834 or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

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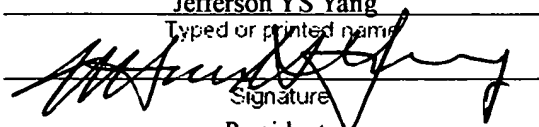
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☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☐ Copies of assignments or other documents in the chain of title are attached.  
**(NOTE:** A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08)

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Jan 14, 2004  
Date

Jefferson YS Yang  
Typed or printed name  
  
Signature  
President  
Title

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